

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

MICHAEL HETHERINGTON  
Individually, and on behalf of the Class

Plaintiff(s),

v.

OMAHA STEAKS, INC. and OMAHA  
STEAKS INTERNATIONAL, INC.

Defendant(s).

Civil Case No. 3:13-cv-2152 SI

APPLICATION FOR SPECIAL  
ADMISSION – *PRO HAC VICE*

Attorney Kenneth E. Payson requests special admission *pro hac vice* in  
the above-captioned case.

**Certification of Attorney Seeking *Pro Hac Vice* Admission:** I have read and understand the  
requirements of LR 83-3, and certify that the following information is correct:

(1) **PERSONAL DATA:**

Name: Payson Kenneth E.  
(Last Name) (First Name) (MI) (Suffix)  
Firm or Business Affiliation: Davis Wright Tremaine LLP  
Mailing Address: 1201 Third Avenue, Suite 2200  
City: Seattle State: WA Zip: 98101  
Phone Number: 206-757-8126 Fax Number: 206-757-7126  
Business E-mail Address: kennethpayson@dwt.com

(2) **BAR ADMISSIONS INFORMATION:**

- (a) State bar admission(s), date(s) of admission, and bar ID number(s):  
Washington, 11/20/96, #26369

\_\_\_\_\_  
\_\_\_\_\_

- (b) Other federal court admission(s), date(s) of admission, and bar ID number(s):  
Western District of Washington, 12/08/98, #26369

Eastern District of Washington, 11/09/99, #26369

Court of Appeals for the 9th Circuit 01/03/05, #26369

(3) **CERTIFICATION OF DISCIPLINARY ACTIONS:**

- (a) ☒ I am not now, nor have I ever been subject to any disciplinary action by any state or federal bar association; or
- (b) ☐ I am now or have been subject to disciplinary action from a state or federal bar association. (See attached letter of explanation.)

(4) **CERTIFICATION OF PROFESSIONAL LIABILITY INSURANCE:**

I have a current professional liability insurance policy in the amount of \$ 40,000,000 that will apply in this case, and that policy will remain in effect during the course of these proceedings.

(5) **REPRESENTATION STATEMENT:**

I am representing the following party(s) in this case:

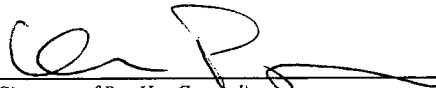
Omaha Steaks, Inc. and Omaha Steaks International, Inc. - Defendants

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**(6) CM/ECF REGISTRATION:**

Concurrent with approval of this *pro hac vice* application, I acknowledge that I will become a registered user of the Court's Case Management/Electronic Case File system. (See the Court's website at [ord.uscourts.gov](http://ord.uscourts.gov)), and I consent to electronic service pursuant to Fed. R. Civ. P 5(b)(2)(E) and the Local Rules of the District of Oregon.

DATED this 3rd day of January, 2014



(Signature of Pro Hac Counsel)

Kenneth E. Payson  
(Typed Name)

**CERTIFICATION OF ASSOCIATED LOCAL COUNSEL:**

I certify that I am a member in good standing of the bar of this Court, that I have read and understand the requirements of LR 83-3, and that I will serve as designated local counsel in this particular case.

DATED this 3rd day of January, 2014

s/ Duane Bosworth  
(Signature of Local Counsel)

Name: Bosworth Duane    
(Last Name) (First Name) (MI) (Suffix)

Oregon State Bar Number: 825077

Firm or Business Affiliation: Davis Wright Tremaine LLP

Mailing Address: 1300 S. W. Fifth Avenue, Suite 2400

City: Portland State: Oregon Zip: 97201

Phone Number: (503) 778-5224 Business E-mail Address: (503) 778-5299

**COURT ACTION**

- ☐ Application approved subject to payment of fees.  
☐ Application denied.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Judge